



PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Tony N. Frudakis et al.  
Application No. : 09/924,400  
Filed : August 7, 2001  
For : COMPOSITIONS AND METHODS FOR THE THERAPY AND  
DIAGNOSIS OF BREAST CANCER

Examiner : Mary K. Zeman  
Art Unit : 1631  
Docket No. : 210121.419C12  
Date : October 30, 2006

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL


Commissioner for Patents:

In accordance with 37 CFR 1.56 and 1.97 through 1.98, applicants wish to make known to the U.S. Patent and Trademark Office the references set forth on the attached Information Disclosure Statement. Copies of cited U.S. patents and published patent applications are not required and accordingly have not been provided. Copies of any other cited references are enclosed. As to any reference cited, applicants do not admit that it is "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserve the right to traverse or antedate any such reference, as by a showing under 37 CFR 1.131 or other method. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with applicants' duty to disclose all information they are aware of which is believed relevant to the examination of the above-identified application, applicants believe that their invention is patentable.

Please acknowledge receipt of this Information Disclosure Statement and kindly make the cited references of record in the above-identified application.

A fee of \$180 is submitted in accordance with 37 CFR 1.97(c). The Director is authorized to charge any other fees which may be required, or credit any overpayment to Deposit Account No. 19-1090.

Respectfully submitted,  
Seed Intellectual Property Law Group PLLC

 # 42. 676  
For Julie A. Urvater, Ph.D., Patent Agent  
Registration No. 50,461

JAU:ms  
Enclosures:  
    Check  
    Information Disclosure Statement  
    Cited References (24)

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U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

**INFORMATION DISCLOSURE STATEMENT**  
(Use several sheets if necessary)

ATTY. DOCKET NO.  
210121.419C12

APPLICATION NO.  
09/924,400

**APPLICANTS**

Tony N. Frudakis et al.

**FILING DATE**

August 7, 2001

**GROUP ART UNIT**

1631

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,082,767	01/21/92	Hatfield et al.			
	AB	6,395,278	05/28/02	Xu et al.			
	AC	6,423,496	07/23/02	Frudakis et al.			
	AD	6,586,570	07/01/03	Frudakis et al.			
	AE	6,620,922	09/16/03	Xu et al.			
	AF	6,630,305	10/07/03	Xu et al.			
	AG	6,656,480	12/02/03	Retter et al.			
	AH	6,828,431	12/07/04	Frudakis et al.			
	AI	6,861,506	03/01/05	Frudakis et al.			

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AJ	WO 97/06260	02/20/97	WIPO		
	AK	WO 98/06399	02/19/98	WIPO		
	AL	WO 99/06550	02/11/99	WIPO		
	AM	WO 00/04149	01/27/00	WIPO		
	AN	WO 03/013431	02/20/03	WIPO		

**OTHER PRIOR ART** (Including Author, Title, Date, Pertinent Pages, Etc.)

	AO	Anderson et al., "A comparison of selected mRNA and protein abundances in human liver," <i>Electrophoresis</i> , 18:533-537, 1997.
	AP	Cox et al., "Sequencing, Expression Analysis, and Mapping of Three Unique Human Tropomodulin Genes and Their Mouse Orthologs," <i>Genomics</i> , 63:97-107, January 1, 2000.
	AQ	Csoka et al., "Expression Analysis of Six Paralogous Human Hyaluronidase Genes Clustered on Chromosomes 3p21 and 7q31," <i>Genomics</i> , 60:356-361, September 15, 1999.

EXAMINER

DATE CONSIDERED

\* EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applican(s).

<b>U.S. DEPARTMENT OF COMMERCE</b> <b>PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> (Use several sheets if necessary)				ATTY. DOCKET NO. 210121.419C12		APPLICATION NO. 09/924,400	
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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	BA						
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY		TRANSLATION	
						YES	NO
	BB						
<b>OTHER ART</b> <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>							
	BC	EMBL Database, Accession No. AI127438, March 3, 2000.					
	BD	Genseq (Derwent) Accession No. AAV68996, January 22, 1999.					
	BE	GenBank Accession No. BF329652, November 22, 2000.					
	BF	GenBank Accession No. B48260, April 8, 1999.					
	BG	GenBank Accession No. BF676987, December 21, 2000.					
	BH	GenBank Accession No. AQ204617, September 17, 1998.					
	BI	GenBank Accession No. AI804733, March 7, 2000.					
	BJ	Genseq (Derwent) Accession No. AAT96475, February 26, 1998.					
	BK	Gibson et al., "A Novel Method for Real Time Quantitative RT-PCR," <i>Genome Research</i> 6(10):995-1001, October 1996.					
	BL	Gygi et al., "Correlation between Protein and mRNA Abundance in Yeast," <i>Molecular and Cellular Biology</i> , 19(3):1720-1730, March 1999.					
EXAMINER				DATE CONSIDERED			
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**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
CA						

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
				YES	NO
CB					

**OTHER ART** (Including Author, Title, Date, Pertinent Pages, Etc.)

CC	Heid et al., "Real time quantitative PCR," <i>Genome Research</i> 6(10):986-994, October 1996.
CD	Liu et al., "Evolution of <i>cis</i> -Acting Elements in 5' Flanking Regions of Vertebrate Actin Genes," <i>J. Mol. Evol.</i> , 50(1):22-30, January 2000.
CE	Nagata et al., "Codon Optimization Effect on Translational Efficiency of DNA Vaccine in Mammalian Cells: Analysis of Plasmid DNA Encoding a CTL Epitope Derived from Microorganisms," <i>Biochemical and Biophysical Research Communications</i> 261(2):445-451, June 25, 1999.
CF	Schena et al., "Quantitative monitoring of Gene Expression Patterns with a Complementary DNA Microarray," <i>Science</i> 270:467-470, October 20, 1995.
CG	<i>Stratagene Catalogue</i> , 1988.
CH	Yee et al., "Isolation of Tyrosinase-Specific CD8+ and CD4+ T Cell Clones from the Peripheral Blood of Melanoma Patients Following In Vitro Stimulation with Recombinant Vaccinia Virus," <i>The Journal of Immunology</i> 157(9):4079-4086, November 1, 1996.

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